

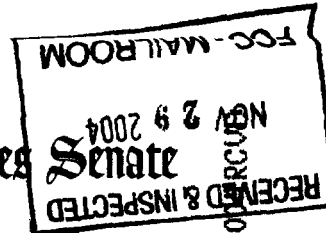
JOHN MCCAIN
ARIZONA

CHAIRMAN
COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
COMMITTEE ON ARMED SERVICES
COMMITTEE ON INDIAN AFFAIRS

United States Senate

BUCKET FILE COPY ORIGINAL

November 22, 2004



03-1231
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4450 SOUTH RURAL ROAD
SUITE B-130
TEMPE, AZ 85282
(480) 897-6289

2400 EAST ARIZONA
BILTMORE CIRCLE
SUITE 1150
PHOENIX, AZ 85018
(602) 952-2410

450 WEST PASEO REDONDO
SUITE 200
TUCSON, AZ 85701
(520) 670-6334

TELEPHONE FOR HEARING IMPAIRED
(202) 224-7132
(602) 952-0170

Ms. Martha Johnston
Director
Federal Communications Commission
Office of Legislative Affairs
445 12th Street, S.W., Room 8-C432
Washington, DC 20554-0001

Dear Ms. Johnston:

I wish to bring to your attention the matter concerning my constituent, Lisa Markkula, who has encountered a problem with Sprint Relay Online. Please investigate, my constituent's claim, within the existing rules, regulations and ethical guidelines, and provide me with the final decision. MARK ALL CORRESPONDENCE TO:

Attn: Chuck Coolidge
Office of Senator John McCain
450 W. Paseo Redondo
Suite 200
Tucson, Arizona 85701

The response you provide will be most appreciated and will be forwarded to my constituent. If you should have any questions in the meantime, you can reach my office at (520) 670-6334. I look forward to your reply at your earliest convenience.

Sincerely,

John McCain
United States Senator

JM/tcc
Enclosure(s)

CCF
comp other

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Sprint is giving Nigerian criminals free telephone calls to U.S. businesses and individuals, resulting in millions of dollars of losses through various fraud schemes. U.S. telephone customers pay for these calls through relay surcharges on their telephone bills. The service is intended for the deaf, hard of hearing and speech impaired, yet Sprint does not screen or register users. Another common abuse of the system is teenagers making obscene calls to each other, themselves, or innocent victims; forcing operators to type and voice pornographic and racist call content. Call volume has dramatically increased as a result of these abuses, as has Sprint's revenue from its relay operations. Calls come in through Sprint's website, www.sprintrelayonline.com. Arizona businesses and individuals have been victims of these scams; Arizona minor children have been exposed to obscene relay calls (some as participants, some not); and one Sprint relay call center is located in Tucson, AZ.

I work as a Sprint relay operator at the Tucson, Arizona call center, which is dedicated almost exclusively to processing Sprint Relay Online (SRO) calls. My employer is Communication Services for the Deaf, a subcontractor for Sprint. Relay operators process telephone calls between deaf and hearing person by typing what the hearing person says and voicing what the deaf person types.

We are told that the FCC has ruled that we must process all calls. It is incredible, however, that Sprint is not forced to register users -- which would eliminate both abuses. Furthermore, while I do not object to hearing and speech impaired persons having access to free long distance service, the ADA provides for parity, not preference. If there really were no way to correct the problem (which I cannot believe), then online relay service should go away altogether.

The best times to reach me are Wednesday through Friday all day, or Monday and Tuesday mornings. I do not have an answering machine, but will check my caller ID. I will be happy to answer questions and cooperate with any investigation.

Thank you. As a constituent, I appreciate Senator McCain's willingness to fight for fiscal responsibility and to reduce the influence of industry and wealthy individuals on the political process.

NOV 19 2004

PRIVACY ACT CONSENT FORM

Date 11/19/04

To Whom It May Concern:

In accordance with the provisions of Public Law 93-579 (The Privacy Act of 1974), hereby give my consent for information concerning my file be furnished to my Senator, John McCain.

I have discussed my case with Senator John McCain and/or his representative(s), and request that any relevant information he may require in order to assist in responding to my inquiry, as his constituent, be provided to him in accordance with the provisions of the law.

Name (in full): Lisa Rella Markkula
Complete Address: 830 N. 7th Ave. Tucson, AZ 85705
Phone (day): 520 791 2946 (please print) (night): 520 791 2946

If this problem involves either the Social Security Administration, the Office of Personnel Management, the Military, the Internal Revenue Service, the Department of Labor or the EEOC, please provide the following where appropriate:
Government agency involved:

Social Security
Number: _____

Civil Service Claim
Number: _____

Veteran Claim
Number: _____

Branch of
Service: _____

Date and Place of
Birth: _____

Military
Rank: _____

Complete address for Home of Records: _____

Other Numbers Identifying your case: _____

L. Markkula
Signature

(Please use reverse side of this form for additional details of your situation.)



Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D.C. 20554

CGB

December 20, 2004

Control No. 0403737-DRO-JS

The Honorable John McCain
450 W. Paseo Redondo, Suite 200
Tucson, AZ 85701

Dear Senator McCain:

Thank you for your letter on behalf of your constituent, Ms. Lisa Markkula, who expresses concern about the improper use of Internet Protocol relay service (IP-Relay), a form of Telecommunications Relay Services (TRS), provided by Sprint Relay Online.

As you know, TRS is one of the major programs we enforce under the Americans with Disabilities Act (ADA) and is a nationwide system. TRS permits people who are not hearing impaired to talk to those with hearing disabilities and speech disabilities, and vice versa, in a manner that is functionally equivalent to the ability of an individual who does not have a hearing impairment or speech impairment to communicate using voice communication services by wire or radio.

IP Relay uses the Internet, rather than the Public Switched Telephone Network, to place the leg of the call from the person with a hearing or speech disability to the TRS communications assistant (CA). The IP Relay user establishes a local connection to an Internet service provider (ISP) using a computer, web phone, personal digital assistant (PDA) or any other IP-capable device. The IP Relay user then reaches a CA by directing the web browser to one of the IP Relay providers' web sites. When the IP Relay user is connected to the IP Relay service provider, the user is immediately routed to a CA, who then makes the outbound call to the hearing person and relays the call between the parties. Additionally, because there is currently no automatic means for determining whether a call made via IP Relay is intrastate or interstate the FCC authorized, on an interim basis, recovery of all costs of providing IP Relay from the Interstate TRS Fund in a Declaratory Ruling, April 2002.

There are many benefits to IP-Relay service, not the least of which is that consumers do not need a TTY or TTY telephone line to make their phone call; thus their access to telephony more closely parallels the traditional phone service that voice-to-voice users take for granted.

The Commission has received complaints from vendors, consumers, and TRS providers that people are using the IP Relay to make telephone purchases using stolen or fake credit cards. Although such purchases are illegal, and the Department of Justice and the FBI can investigate, due to the transparent nature of the CA's role in a TRS call the Communications Assistant may not interfere with the conversation. The TRS statutory and regulatory scheme do not contemplate that the CA should have a law enforcement role by monitoring the conversations they are relaying.

Since this type of fraud first became apparent, the TRS providers have worked to develop methods to determine which IP Relay calls are fraudulent, and therefore have been able to prevent many of these calls from reaching the intended victims. This has been achieved without negatively impacting legitimate users of the service, according to the IP Relay providers.

Enclosed is information Ms. Markkula may find helpful. To the extent Ms. Markkula has concerns about the provision of TRS, we encourage her to actively participate in proceedings before the Commission to ensure that her opinions are expressed and considered fully. The Commission has available an e-mail service designed to apprise consumers about developments at the Commission, to disseminate consumer information materials prepared by the Commission to a wide audience, and to invite comments from other parties on Commission regulatory proposals. This free service enables consumers to subscribe and receive FCC fact sheets, consumer brochures and alerts, and public notices, among other consumer information. To subscribe, an individual should send an e-mail to subscribe@info.fcc.gov and, in either the subject line or the message insert: "subscribe fcc-consumer-info first name last name" (e.g., "subscribe fcc-consumer-info John Doe").

We also invite Ms. Markkula to visit the Consumer & Governmental Affairs Bureau's Internet web site at <http://www.fcc.gov/cgb> or the Commission's Home Page located at <http://www.fcc.gov>.

We appreciate your inquiry. Please do not hesitate to contact us if you have further questions.

Sincerely,



K. Dane Snowden
Chief

Consumer & Governmental Affairs Bureau

Enclosures